

U.S. Patent Application Serial No. 10/015,564
Amendment filed April 16, 2007
Reply to OA dated November 5, 2006

REMARKS

Claims 26, 28 and 30-58 are pending in this application, as the amendment in the Response dated February 12, 2007, has not been entered. The present amendment, filed concurrently with a Request for Continued Examination, cancels claims 31-33 and 38-47 without prejudice or disclaimer, and adds new claims 59-84. Upon entry of this amendment, claims 26, 28, 30, 34-37, and 48-84 will be pending.

The applicant respectfully submits that no new matter has been added. Support for the amendments to the claims is detailed below. It is believed that this Amendment is fully responsive to the Office Action dated **November 5, 2006**.

New claims 59-61 (coated film claims) and new claims 65-74 (multilayered laminate claims) are claims directed to "amine curing agent consisting of a reaction product obtained from reactants consisting of (A) and (B)." New claims 62-64 (coated film claims) and new claims 75-84 (multilayered claims) are claims directed to "amine curing agent consisting of a reaction product obtained from a mixture consisting of reactants consisting of (A) and (B) and a non-reactive solvent, a catalyst and/or a tertiary amine selected from the group consisting of pyridine, picoline, lutidine and trialkylamine. That is, new claims 59-61 and 65-74 are claims in case of reactants consisting of (A) and (B). New claims 62-64 and 75-84 are claims in case of mixture reactants consisting of (A) and (B) and a non-reactive solvent, etc. The above tertiary amine is used for a promoter for the reaction. Support for this amendment may be found on pages 14 to 15 of the specification.

U.S. Patent Application Serial No. 10/015,564
Amendment filed April 16, 2007
Reply to OA dated November 5, 2006

The molar ratios of polyfunctional compound (B) to meta- or para-xylylenediamine (A) of from 0.3 to 0.95 set forth on page 16, lines 5, 6 and 9 as well as claims 31 and 38 would be more concisely denoted as 0.3:1 and 0.95:1 since the molar ratio could be misinterpreted as 0.3:0.95. (Office action paragraph no. 3)

This rejection is moot in view of the cancellation of claims 31 and 38. The newly added claims use the terminology for the ratios suggested by the Examiner.

Claims 31-33 and 38-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Patent Nos. 8-104738 and 63-301264 in view of Carlblom et al. Patent No. 5,728,439 and Huang et al. Patent No. 3,683,044. (Office action paragraphs no. 3-6)

These rejections are moot in view of the cancellation of claims 31-33 and 38-47 without prejudice or consideration.

As a result of the present amendment, previously pending claims 26, 28, 30, 34-37 and 48-58, and new claims 59-84 are pending. Previously pending claims 26, 28, 30, 34-37 and 48-58 were indicated as allowable in the final Office action of November 15, 2006, although no status was indicated for claims 34-37 in the Advisory Action mailed March 7, 2007. Applicant submits that all of the rejections of the previously pending claims have been overcome.

U.S. Patent Application Serial No. 10/015,564
Amendment filed April 16, 2007
Reply to OA dated November 5, 2006

Regarding new claims 59-84.

In consideration of new claims 59-84, Applicant respectfully requests consideration of the remarks in the Response under 37 CFR 1.116 filed on February 12, 2007, as well as the Declaration under 37 CFR 1.132 signed on January 25, 2007, and submitted with that Response. This will be referred to as "Declaration II," with "Declaration I" being the Declaration filed on November 2, 2006.

In addition, Applicant hereby submits a new Declaration under 37 CFR 1.132, signed on April 9, 2007, by Shuta KIHARA, which will be referred to as "Declaration III."

In the Advisory Action, although Declaration II was not entered, the Examiner provided comments regarding Declaration II. The Examiner stated that Comparative Example 9 is "not reflective of the closest prior art curing agent of Japanese Patent. No. 8-104738 represented by Example 13 in Table 2 on page 16 of the translation filed February 28, 2007 [sic] containing 98 parts by weight of Polyamine F (the reaction product of metaxylylenediamine and methyl methacrylate produced in Reference Example 6 on page 14) and only two parts by weight of hexadecylamine (**different from the tested 8 parts by weight of octadecylamine**)" (emphasis added).

Therefore, to supplement Declaration II, Applicant here submits Declaration III including Comparative Example 9 based on an experiment for the case of 98 parts by weight of the amine curing agent C (pages 30-31 of the specification) and 2 parts by weight of n-hexadecylamine.

As demonstrated in Declaration III, in comparison between Example 3 and Comparative Example 9, the gas barrier property of coated film prepared using amine curing agent C' deteriorates

U.S. Patent Application Serial No. 10/015,564
Amendment filed April 16, 2007
Reply to OA dated November 5, 2006

and is inferior to that of coated film prepared using only amine curing agent C.

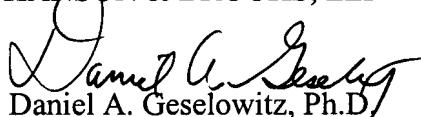
Favorable consideration of new claims 59-84 is respectfully requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the Applicant's undersigned agent at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, the Applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, KRATZ, QUINTOS,
HANSON & BROOKS, LLP


Daniel A. Geselowitz, Ph.D.

Agent for Applicants
Reg. No. 42,573

DAG/ejb/lrj
Atty. Docket No. 011709
Suite 1000
1725 K Street, N.W.
Washington, D.C. 20006
(202) 659-2930



23850
PATENT TRADEMARK OFFICE

Enclosure: Declaration under 37 CFR 1.132 by Shuta KIHARA signed April 9, 2007
Q:\FLOATERS\BRENDA\011 Cases\011709\011709 Amend w-RCE reFOA11-15-06 f.4-16-07